

**Senate Resolution 1**

Senator Moffett offered the following resolution:

Be It Resolved, That a committee of five (5) be appointed by the Lieutenant Governor to notify the Governor that the Senate has completed its organization and is ready to transact business.

The resolution was read and was adopted.

**Senate Resolution 2**

Senator Aikin offered the following resolution:

Be It Resolved, That a committee of five (5) be appointed by the Lieutenant Governor to notify the House of Representatives that the Senate has completed its organization and that it is ready to transact business.

The resolution was read and was adopted.

**Committees to Notify Governor and House**

The President appointed the following committees to notify the Governor and the House that the Senate is organized and ready for the transaction of business:

To notify the Governor: Senators Stone, Martin, Spears, Smith and Hazlewood.

To notify the House: Senators Aikin, Moffett, Beck, Ramsey and Mauritz.

**Senate Resolution 3**

Senator Hill offered the following resolution:

Resolved, That the Rules of the Senate of the Forty-fourth Legislature, except those rules which would require a four-fifths vote for their adoption, be adopted as the temporary rules of the Senate.

The resolution was read.

Senator Martin (for himself and Senator Metcalfe) offered the following substitute for the resolution:

Resolved, That the Rules of the Senate of the Forty-sixth Legislature, except those rules which would require a four-fifths vote for their adoption, be adopted as the temporary rules of the Senate until January 28, 1941.

Question—Shall the substitute be adopted?

On motion of Senator Moffett, further consideration of the resolution

and substitute was postponed until tomorrow immediately after completion of the morning call.

**Administration of Oath to Officers of Senate**

At the request of the President, the officers of the Senate named in the caucus report appeared at the bar of the Senate and took the constitutional oath of office.

**Notification of House**

The committee appointed to notify the House that the Senate is organized and ready to transact business appeared at the bar of the Senate; and Senator Ramsey, for the Committee, announced that the duty assigned it had been performed.

**Adjournment**

On motion of Senator Kelley, the Senate, at 1:20 o'clock p. m., adjourned until 10:00 o'clock a. m. tomorrow.

**SECOND DAY**

(Wednesday, January 15, 1941)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by President Stevenson.

The roll was called and the following Senators were present:

Aikin	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York
Martin	

**Absent—Excused**

Beck                      Spears

A quorum was announced present.

Rev. S. B. Culpepper, Chaplain, offered the invocation.

On motion of Senator Hill and by unanimous consent, the reading of

the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

#### Leaves of Absence Granted

Senator Spears was granted leave of absence for today and tomorrow, on account of important business, on motion of Senator Graves.

Senator Beck was granted leave of absence for today, on account of illness, on motion of Senator Moore.

#### Senate Resolution 4

Senator Moore offered the following resolution:

Be It Resolved by the Senate of Texas, That the Sergeant-at-Arms is instructed to clear the floor of the Senate of all persons excepting those having the privileges of the floor under the rules last used by the Senate (until new rules are adopted and then of all persons excepting those having the privileges of the floor under such rules) thirty (30) minutes before the time set for the Senate to convene each day.

The resolution was read and was adopted by unanimous consent.

#### Notification of Governor

The committee appointed to notify the Governor that the Senate is organized and ready for the transaction of business appeared at the bar of the Senate; and Senator Stone, for the committee, reported that the duty assigned it had been performed.

#### Senate Resolution 5

Senator Brownlee offered the following resolution:

Whereas, The attention of the Senate has been called to a number of grievous and allegedly illegal practices now and heretofore engaged in by public officials in various sections of this State; and

Whereas, The financial condition of this State is dependent upon the honest enforcement of its revenue laws and the collection of taxes, licenses, fees, and other revenues; and

Whereas, There have been reported many evasions of these revenue laws, and many violations of other laws of this State, and many of such violations and evasions are alleged to have been committed with the knowledge and connivance of some officers in this State; and

Whereas, Past experience has proven that a saving of millions of dollars may be made to the taxpayers of Texas by the existence at all times of a standing General Investigation Committee; and

Whereas, The Forty-seventh Legislature will only be in session a few months and there should be some restraining agency and investigating committee existing during the interim between adjourning of this Legislature and the convening of the Forty-eighth Legislature, and it is the purpose of this resolution to authorize the appointment of such committee and to empower said committee to investigate any and all law violations in this State which pertain to, or in any way affect the general welfare as well as the administration of State laws and departmental activities; now therefore be it

Resolved, By the Senate of the State of Texas:

Section 1. That the Lieutenant Governor be, and he is hereby authorized to appoint a committee of five Members of the Senate to sit at such times and places between this date and the date of the convening of the Regular Session of the Forty-eighth Legislature, as may to said committee seem necessary and proper; and the committee shall continue the inquiries heretofore begun by the committee authorized and appointed at the Regular Session of the Forty-sixth Legislature relative to law violations and the administration of all State laws and any of the matters pertaining to or affecting the revenues of the State government, and the expenditures of taxes, fees, and assessments, and to inquire into any other affairs and activities of governmental departments and institutions of whatever kind and character, as such activities in any way affect the financial or other welfare of the government and the citizens of Texas. Said committee shall make a study of any other governmental activity, and shall have authority to investigate and inquire into any such matters.

Sec. 2. That said committee shall have the power to formulate its own rules of procedure and evidence, and to provide for its own hours of meeting, recessing, and adjourning. Provided, however, that the rules of evidence to be followed shall be practically the same as followed in the

courts of this State, and the committee is authorized to hold executive sessions, within its discretion, and then the committee may be governed by the rules of evidence applicable to any grand jury inquiry in this State.

Sec. 3. That the committee shall have power to issue process for witnesses to any place in this State, and to compel their attendance, and produce all books and records, and upon disobedience of any subpoena the said committee shall have the power to issue attachments which may be addressed to and served by either the sergeant-at-arms appointed by said committee or any sheriff or any constable of this State; and said committee shall have authority to cite for contempt any one disobeying said process and to punish for such contempt in the same manner as provided for by general law. Said committee shall have power to inspect and make copies of any books, records, or files of the departments and institutions and any and all other instruments and documents pertinent to the matter under investigation by said committee, including any county or political subdivision of this State, and shall also have power to examine and audit the books of any person, firm, or corporation having dealings with departments and institutions under investigation by said committee. The committee shall have power to administer oaths and affirmations and fix the bonds of attached witnesses; and the committee shall further have all the powers necessary in order to accomplish the purposes for which it is appointed. Three members of such committee shall constitute a quorum for the transaction of official business.

Sec. 4. The witnesses attending under process shall be allowed the same mileage and per diem as is allowed witnesses before any grand jury in this State.

Sec. 5. Said committee shall have power and authority to employ and compensate all necessary investigators, auditors, clerks, stenographers, and any other necessary employees, and it shall be the duty of said committee to make and keep a record of its investigations.

Sec. 6. That said committee may call upon the Attorney General's Department, Auditing Department, and all other departments for assistance

and advice, and it shall be the duty of the Attorney General's Department to render opinions, give counsel and assistance to said committee on request of chairman or members of said committee.

Sec. 7. That said committee shall submit a report in writing to the Forty-eighth Legislature, and make such recommendations as it may choose to make. The compensation and expenses herein provided for incident to the work of such committee shall be paid out of the appropriation for mileage and per diem and contingent fund of the Forty-seventh Legislature and out of any fund otherwise appropriated by said session of said Legislature for such purpose, upon sworn account of persons entitled to such pay, when approved by the chairman of said committee; and sufficient money is hereby appropriated out of the mileage and per diem and contingent fund of said Forty-seventh Legislature to meet the payment of such per diem and expenses of the members of said committee, witnesses, fees, and other expenses incident to said investigation.

Sec. 8. Said committee may include in its report its recommendation of any legislation that should be enacted or other action that should be taken.

BROWNLEE,  
MARTIN,  
MOORE,  
SMITH,  
KELLEY,  
WEINERT,  
COTTEN,  
SHIVERS,  
LOVELADY.

The resolution was read.

Senator Van Zandt offered the following amendment to the resolution:

Amend pending resolution Section 3, by striking the first "the" and substitute, in lieu thereof, the following: "the majority of the membership of said" and by adding the word "present" after the first "committee."

Question—Shall the amendment be adopted?

On motion of Senator Winfield and by unanimous consent, further consideration of the resolution and amendment was passed over until they have been printed in the Journal.

**Message from the House**

The Reading Clerk of the House, having been announced by the Door-keeper and recognized by the President, presented the following message:

Austin, Texas,  
January 15, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill and resolutions:

H. C. R. No. 1, Relative to mileage and per diem of members of Legislature.

H. C. R. No. 2, Providing for joint session for purpose of hearing Governor W. Lee O'Daniel.

H. C. R. No. 3, To adopt temporary joint rules.

H. C. R. No. 4, Providing for a joint committee to arrange for inauguration of Governor and Lieutenant Governor.

H. C. R. No. 5, Providing for a joint session to count votes of Governor and Lieutenant Governor.

H. C. R. No. 6, Relative to parking space for Members of the Legislature.

H. B. No. 1, A bill to be entitled "An Act making an appropriation of the sum of Three Hundred and Fifty Thousand Dollars (\$350,000), or so much thereof as may be necessary, out of funds in the State Treasury not otherwise appropriated, to pay the contingent expenses and to pay the mileage and per diem of members and per diem of officers and employees of the Regular Session of the Forty-seventh Legislature, and to pay any unpaid accounts or expenses of the Forty-sixth Legislature, and declaring an emergency."

Respectfully submitted,

E. R. LINDLEY,  
Chief Clerk, House of Representatives.

**House Concurrent Resolution 1**

The President laid before the Senate:

H. C. R. No. 1, Fixing the per diem of members of the Forty-seventh Legislature and providing the manner of computing mileage due them.

The resolution was read and was adopted.

**House Concurrent Resolution 2**

The President laid before the Senate:

H. C. R. No. 2, Providing for joint sessions on Thursday and Friday, January 16th and 17th, 1941, to hear the biennial message of the Governor.

The resolution was read and was adopted.

**House Concurrent Resolution 4**

The President laid before the Senate:

H. C. R. No. 4, Providing for a joint committee of the House and Senate to arrange for the inauguration of the Governor.

The resolution was read and was adopted.

Accordingly, the President appointed the following committee on the part of the Senate: Senators Brownlee, Isbell, Martin, Formby and Fain.

**House Concurrent Resolution 5**

The President laid before the Senate:

H. C. R. No. 5, Providing for a joint session of the House and Senate to count the votes for Governor and Lieutenant Governor.

The resolution was read and was adopted.

**House Concurrent Resolution 6**

The President laid before the Senate:

H. C. R. No. 6, Reserving parking spaces on the Capitol Grounds for members of the Legislature and newspaper representatives.

The resolution was read.

Senator Van Zandt asked unanimous consent that the resolution be amended by inserting the word "accredited" before the words "newspaper representatives" wherever they appear.

There was no objection offered and it was so ordered.

The resolution as amended was adopted.

**Record of Votes**

Senators Brownlee and Hill asked to be recorded as voting "nay" on the resolution.

**Message from the Governor**

Mr. William J. Lawson, Secretary to the Governor, was announced by the Doorkeeper, and, at the direction of the President, was duly admitted to present the following message, which was read to the Senate:

Austin, Texas,  
January 15, 1941.

To the Senate of the Forty-seventh Legislature:

I ask the advice, consent and confirmation of the Senate to the following appointments:

To be Members of the Board of Regents of the University of Texas:

Mr. Fred Branson of Galveston, Texas, for re-appointment for a six year term to expire January 10, 1947.

Mr. Dan J. Harrison of Houston, Texas, for a six year term to expire January 10, 1947.

Mr. Orville Bullington of Wichita Falls, Texas, for a six year term to expire January 10, 1947.

Respectfully submitted,  
W. LEE O'DANIEL,  
Governor of Texas.

**Temporary Committee on Finance**

The President announced the appointment of the following temporary Committee on Finance: Senator Aikin, Chairman; Senators Isbell, Lanning, Kelley, Lemens, Metcalfe, Moffett, Weinert and Winfield.

**House Bill 1 on First Reading**

H. B. No. 1, received from the House today, was laid before the Senate, read first time and referred by the President to the temporary Committee on Finance.

**Report of Committee on House Bill 1**

Senator Aikin submitted the following report:

Austin, Texas,  
January 15, 1941.

Honorable Coke R. Stevenson, President of the Senate:

Sir: We, your temporary Committee on Finance, to whom was referred H. B. No. 1, A bill to be entitled "An Act making an appropriation of the sum of Three Hundred and Fifty Thousand Dollars (\$350,000),

or so much thereof as may be necessary, out of any funds in the State Treasury not otherwise appropriated, to pay the contingent expenses, and to pay the mileage and per diem of members and the per diem of officers and employees of the Regular Session of the Forty-seventh Legislature, and to pay any unpaid accounts or expenses of the Forty-sixth Legislature, and declaring an emergency."

Have had the same under consideration and I am instructed to report it back with the recommendation that it do pass and be not printed.

AIKIN, Chairman.

**House Bill 1 on Second Reading**

Senator Aikin moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York
Martin	

Absent—Excused

Beck

Spears

The President laid the bill before the Senate, and it was read second time and was passed to third reading.

**House Bill 1 on Third Reading**

The President then laid H. B. No. 1 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Chadick
Brownlee	Cotten

Fain	Moffett
Formby	Moore
Graves	Ramsey
Hazlewood	Shivers
Hill	Smith
Isbell	Stone
Kelley	Sulak
Lanning	Van Zandt
Lemens	Vick
Lovelady	Weinert
Martin	Winfield
Mauritz	York
Metcalf	

**Absent—Excused**

Beck	Spears
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**House Concurrent Resolution 3**

The President laid before the Senate the following resolution:

H. C. R. No. 3, Be It Resolved by the House of Representatives, the Senate concurring, That the Joint Rules of the House and Senate of the Forty-sixth Legislature be, and they are hereby made, the temporary Joint Rules of the House and Senate of the Forty-seventh Legislature.

The resolution was read.

Senator Metcalfe (for himself and Senator Martin) offered the following amendment to the resolution:

Amend H. C. R. No. 3, by striking out the period at the end of the resolution and substituting therefor a comma and by adding thereto the following: "until January 28th, 1941."

The amendment was adopted.

The resolution as amended was adopted.

**Senate Resolution 3**

The President laid before the Senate, as postponed business, the following resolution:

Resolved, That the Rules of the Senate of the Forty-fourth Legislature, except those rules which would require a four-fifths vote for their adoption, be adopted as the temporary rules of the Senate.

With the following substitute by Senators Martin and Metcalfe pending:

Resolved, That the Rules of the Senate of the Forty-sixth Legislature, except those rules which would require a four-fifths vote for their adoption, be adopted as the temporary rules of the Senate until January 28, 1941.

(Senator Winfield in the Chair.)

Question first recurring on the substitute, it was adopted.

The resolution as substituted then was adopted.

**Adjournment**

On motion of Senator Metcalfe, the Senate, at 11:50 o'clock a. m., adjourned until 10:00 o'clock a. m. tomorrow.

**THIRD DAY**

(Thursday, January 16, 1941)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by President Stevenson.

The roll was called, and the following Senators were present:

Aikin	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York
Martin	

**Absent—Excused**

Beck	Spears
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A quorum was announced present.

The invocation was offered by the Chaplain.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

**Leaves of Absence Granted**

Senator Beck was granted leave of absence for today on account of illness on motion of Senator Aikin.

**Notification to Senate**

A committee from the House appeared at the bar of the Senate, and being duly announced, notified the Senate that the House had completed its organization and is ready for the transaction of business.